

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MATTHEW R. SCHLEY,

Defendant.

CASE NO. CR22-0166-JCC

ORDER

This matter comes before the Court on Defendant's unopposed motion to continue trial and the pretrial motions deadline (Dkt. No. 23). Having thoroughly considered the briefing, the Court GRANTS the Defendant's request to continue the trial for the reasons described herein.

Defendant was indicted for Possession with Intent to Distribute a Controlled Substance in September 2022. (Dkt. No. 17.) Trial is currently set for December 5, 2022. (Dkt. No. 21.) Defendant moves to continue the trial to February 13, 2023, citing the need for additional time for defense counsel to review discovery, conduct legal research, and investigate the offense and Defendant's background. (Dkt. No. 23 at 2.)

The Court FINDS that, taking into account the exercise of due diligence, the failure to grant a continuance would deny Defendant and his counsel the reasonable time necessary for effective preparation, resulting in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(i), (iv). Based on these findings, the Court concludes that the ends of justice served by granting a

1 continuance outweigh the best interest of the public and of Defendant to a speedy trial. *Id.*
2 § 3161(h)(7)(A).

3 Accordingly, the Court GRANTS Defendant's request to continue (Dkt. No. 23) and
4 ORDERS as follows:

- 5 1. The December 5, 2022 jury trial is CONTINUED until February 13, 2023.
- 6 2. The pretrial motions deadline is EXTENDED to January 10, 2023.
- 7 3. The period from the date of this order through the new trial date, February 13, 2023,
8 is excludable under 18 U.S.C. § 3161(h)(7)(A).

9 DATED this 28th day of October 2022.

10
11
12 

13 John C. Coughenour
14 UNITED STATES DISTRICT JUDGE
15
16
17
18
19
20
21
22
23
24
25
26